

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

THE FAMILY ROSARY, INC.

Plaintiff,

-against-

BOWDOIN CONSTRUCTION CORP.;
ST. PAUL FIRE & MARINE INSURANCE COMPANY,

Local Rule 16.1(D)
JOINT STATEMENT

CA No. 30277 DPW

Pursuant to Local Rule 16.1(D), the parties herewith submit the following as their joint statement:

1. The joint discovery plan addressing the time and length for all discovery events consistent with Fed.R.Civ.P. 26(b) and the desirability of conducting phase discovery is directly contingent upon the disposition by the Court of the defendants' pending motion for stay of the instant action and an order directing plaintiff to proceed to arbitration. The parties are unable at this time to provide a proposed discovery plan until motion determination.
2. A proposed schedule for the filing of motions pertinent to the instant action is contingent upon the disposition of the pending stay motion, which the parties will address at the Rule 16(B) conference scheduled for March 23, 2004.
3. The certifications required under Local Rule 16.1(D)(3) are annexed hereto as exhibits "A" (plaintiff) and "B" (defendant).

Annexed hereto and made a part hereof as exhibit "C" and "D" are copies of correspondence from plaintiff's counsel to defendants' counsel confirming their discussion pursuant to Local Rule 16.1(B) and (C).

Respectfully submitted,

For the Plaintiff,
The Family Rosary, Inc.
By its Attorneys,
Tobin and Dempf, LLP

Dated: March 15, 2004

By:



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Pro Hac Vice Order of 12/29/2003

For Defendants,
Bowdoin Construction Corp.; St. Paul Fire &
Marine Insurance Company,

Dated: March 15, 2004

By:

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